

FILED

JAN 12 2006

RICHARD W. WICKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

11  
12 UNITED STATES OF AMERICA, ) CR NO. 05-00734 JW  
13 Plaintiff, )  
14 vs. ) SECOND UNOPPOSED APPLICATION  
15 OSCAR MARTINEZ, ) FOR EXTENSION OF TIME TO ALLOW  
16 Defendant. ) SECOND SURETY TO CO-SIGN BOND

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18 Defendant Oscar Martinez, through his attorney, hereby moves this Court for an  
19 extension of time of eleven days for a second surety to co-sign his bond. The government has  
20 graciously agreed and stated that it does not oppose this application. The reasons are as follows.

21 Undersigned counsel was appointed to replace Mr. Manuel Campos as Mr. Martinez's  
22 attorney just last week. Upon entering the case, undersigned counsel learned that on December  
23 15, 2005, the Hon. Magistrate Judge Richard Seeborg had given Mr. Martinez until January 5,  
24 2006 to have a second surety co-sign his bond. Undersigned counsel asked for and was granted a  
25 one week extension of that deadline.

26 Considerable efforts were made during that week to obtain a surety and arrange for a  
27 bond signing, but more time is needed. Undersigned counsel is now attempting to have a newly  
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1 identified surety interviewed by telephone by Pretrial Services in San Jose to establish that he is  
2 acceptable as a surety.

3 The potential surety lives in Southern California. Counsel is asking for an eleven day  
4 extension of time to allow time to arrange for the surety to be interviewed and approved by  
5 Pretrial Services, and to come to San Jose to appear before this Court.

The government has graciously stated that it does not object to this extension of time for Mr. Martinez to obtain the signature of a second surety on his bond.

Defendant therefore respectfully requests an Order giving him until January 23, 2006 to have a second surety co-sign his bond.

10 Dated: January 12, 2006

Respectfully submitted,

MARK D. EIBERT  
Attorney for Defendant Oscar Martinez

## **ORDER**

Good cause appearing therefore, it is hereby ORDERED that defendant Oscar Martinez shall have until January 23, 2006 to have a second surety co-sign his bond.

Dated: January 12, 2006

**UNITED STATES MAGISTRATE JUDGE**

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